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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/005,113

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Sandra Lynn Carrico

2001-0450

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07/26/2006

AT&T CORP.

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EXAMINER

CERVETTI, DAVID GARCIA

ART UNIT

PAPER NUMBER

2136

DATE MAILED: 07/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/005,113

Applicant(s)

CARRICO ET AL.

Examiner

David G. Cervetti

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's arguments filed May 15, 2006, have been fully considered but are moot in view of the new grounds of rejection.
2. Claims 1-11 are pending and have been examined.

Response to Amendment

3. The objection to the abstract is withdrawn.
4. *The applicant has not adequately traversed the examiner's use of official notice with regards to the claimed limitation found in claim 5, this feature is taken by the examiner to be admitted prior art since the applicant has not adequately challenged the examiner's use of official notice (see MPEP 2144.03(c), 2144.04).*

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
6. **Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sherer et al. (US Patent 6,115,376, hereinafter Sherer), and further in view of Jones et al. (US Patent 5,623,637, hereinafter Jones).**

Regarding claims 1 and 10, Sherer teaches a security mechanism for enabling a user to commence a session between a network peripheral device and a network, comprising (column 5, lines 32-67):

- an immutable memory element that contains first information including application software that initiates and provides security services (column 5, lines 32-67);

- a persistent memory element that contains second information to enable the security mechanism to configure the network peripheral device to access different networks (column 5, lines 32-67);
- a volatile memory element that contains third information, including the critical data for authentication (column 5, lines 32-67).

Sherer does not expressly disclose third information erased from the volatile memory at the completion of each connection session or a tamper-evident enclosure. However, Sherer suggests using different authentication schemes (column 5, lines 32-67), and Jones teaches a tamper-evident enclosure for enclosing the memory elements (column 2, lines 1-67, column 3, lines 1-67). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use session keys which are valid for just a session and deleted afterwards. One of ordinary skill in the art would have been motivated to perform such a modification to use session specific credentials and to provide means to detect attempted tampering (Sherer, column 7, Jones, column 2).

Regarding claims 2 and 11, the combination of Sherer and Jones teaches wherein the security services include authentication of the security mechanism itself and authentication of the user to the network upon receipt of identification information from the security mechanism and the user, respectively (Sherer, column 7, lines 1-67).

Regarding claim 3, the combination of Sherer and Jones teaches wherein the immutable memory contains a private key for encrypting the user and security mechanism identification information (Sherer, column 7, lines 1-67).

Regarding claim 4, the combination of Sherer and Jones teaches wherein the immutable memory comprises a Read-only Memory (ROM) (Sherer, fig 3, column 5).

Regarding claim 5, the combination of Sherer and Jones does not expressly disclose wherein the immutable memory further includes a Write-once ROM. However, Sherer teaches using memory on his device. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use other types of memory with the system of Sherer. One of ordinary skill in the art would have been motivated to perform such a modification to provide means for manufacturer to add a unique identification to the device. Furthermore, this feature has been admitted by applicant to have been conventional and well known at the time the invention was made.

Regarding claim 6, the combination of Sherer and Jones teaches wherein the persistent memory comprises at least one of one of a Complementary Metal Oxide Semiconductor Random Access Memory (CMOSRAM) and a Programmable Read Only Memory (PROM) (Sherer, fig 3, column 5).

Regarding claim 7, the combination of Sherer and Jones teaches wherein the volatile memory comprises a random access memory (Sherer, fig 3, column 5).

Regarding claim 8, the combination of Sherer and Jones teaches wherein the tamper evident enclosure readily exhibits any attempt to gain access there through to the memory elements enclosed therein (column 2, lines 1-67, column 3, lines 1-67, column 5, lines 1-67, column 6, lines 1-67).

Regarding claim 9, the combination of Sherer and Jones teaches wherein the physical security of the security mechanism depends on the degree of tamper resistance of the enclosure (column 2, lines 1-67, column 3, lines 1-67).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. **Neuman et al. (US Patent Application Publication 2002/0162026) teaches an apparatus for providing secure network communication.**

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David G. Cervetti whose telephone number is (571) 272-5861. The examiner can normally be reached on Monday-Friday 7:00 am - 5:00 pm, off on Wednesday.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DGC

CHRISTOPHER REVAK
PRIMARY EXAMINER

CR 7/23/06